

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ROSENBAUM, *et al.*,

Plaintiffs,

VS.

PERMIAN RESOURCES CORP., *et al.*,

Defendants.

Case No.: 2:24-cv-00103-GMN-MDC

ANDREW CAPLEN INSTALLATIONS,
LLC, *et al.*,

Plaintiffs,

VS.

PERMIAN RESOURCES CORP., *et al.*,

Defendants.

Case No.: 2:24-cv-00150-APG-DJA

THESE PAWS WERE MADE FOR
WALKIN' LLC, *et al.*,

Plaintiff,

VS.

PERMIAN RESOURCES CORP., *et al.*,

Defendants.

Case No.: 2:24-cv-00164-GMN-NJK

Order Consolidating Actions

Pursuant to Federal Rule of Civil Procedure 42(a) and Local Rule 42-1, the Court hereby consolidates *Rosenbaum et al. v. Permian Resources Corp., et al.*, No. 2:24-cv-00103-GMN-MDC, *Andrew Caplen Installations LLC, et al. v. Permian Resources Corp., et al.*, No. 2:24-

1 cv-00150-APG-DJA, and *These Paws Were Made for Walkin' LLC, et al., v. Permian*
2 *Resources Corp., et al.*, No. 2:24-cv-00164-GMN-NJK.

3 These matters come before the Court pursuant to Plaintiffs' Notice of Related Cases
4 filed in each case. ECF Nos. 10, 10, and 5, respectively.

5 Fed. R. Civ. P. 42(a) governs the consolidation of separate actions. When two cases
6 "involve a common question of law or fact," district courts may join them for any or all matters
7 at issue, consolidate the suits, or issue any other order that would prevent unnecessary cost or
8 delay. *Id.* The threshold question is whether the cases involve common questions of law or
9 fact. *Id.* If common questions exist, the court must balance the savings of time and effort that
10 consolidation will yield against any inconvenience, delay, confusion, or prejudice that may
11 result. *Huene v. United States*, 743 F.2d 703, 704 (9th Cir. 1984). "District courts enjoy
12 substantial discretion in deciding whether and to what extent to consolidate cases." *Hall v. Hall*,
13 138 S. Ct. 1118, 1131 (2018). A court may consolidate actions *sua sponte*, or on its own. *See*
14 *In re Adams Apple, Inc.*, 829 F.2d 1484, 1487 (9th Cir. 1987) ("[C]onsolidation is within the
15 broad discretion of the district court . . . and trial courts may consolidate cases *sua sponte* . . .
16 .").

17 Here, the Court agrees with Plaintiffs that these three cases involve several shared
18 questions of law and fact. The same defendants are named in all cases and the claims are made
19 by related putative class members (consumers). All three cases assert the same forty-six
20 claims. And the cases share a common question of law—whether the defendants engaged in a
21 conspiracy to coordinate, and ultimately constrain, domestic shale oil production in violation of
22 federal and state antitrust laws. As these cases are at a similar stage, there is no basis to find
23 that consolidation would cause inconvenience, delay, or expense. Because the Court finds that
24 consolidation is merited and will conserve judicial and litigation resources, it consolidates these
25 cases for all purposes under the earlier-filed action pursuant to Local Rule 42-1(b). *See* Local


1 Rule 42-1(b) (dictating that consolidated cases “will be transferred to the judge whom the
2 earliest-filed action is assigned”).

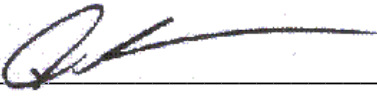
3 Accordingly,

4 **IT IS HEREBY ORDERED** that these actions are consolidated for all purposes under
5 Case No. 2:24-cv-00103-GMN-MDC, before District Judge Gloria Navarro and Magistrate
6 Judge Maximiliano Couvillier.

7 The Clerk of Court is directed to **TRANSFER** Case No. 2:24-cv-00150-APG-DJA and
8 No. 2:24-cv-00164-GMN-NJK and close them after consolidation. The parties are directed to
9 make all future filings only in Case No. 2:24-cv-00103-GMN-MDC.

10 **DATED** this 29 day of January, 2024.

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14 Gloria Navarro, District Judge
15 United States District Court

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18 Andrew Gordon, District Judge
19 United States District Court
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